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UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT ADDICTION/PERSONAL INJURY

PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO: ALL ACTIONS

MDL No. 3047

Case Nos.: 4:22-md-03047-YGR-PHK

SECOND STATUS UPDATE, STIPULATION, AND {PROPOSED} ORDER REGARDING PLAINTIFFS' AND YOUTUBE'S DMCS RIPE DISPUTES ISSUES 2 AND 3

Judge: Hon. Yvonne Gonzalez Rogers Magistrate Judge: Hon. Peter H. Kang

Defendants YouTube, LLC and Google LLC (together, "YouTube"), and PI/SD Plaintiffs (collectively, the "Parties"), respectfully submit this update and stipulation to the Court:

WHEREAS, on October 18, 2024, the Parties filed a Discovery Case Management Statement (in advance of the October 24, 2024 Discovery Case Management Conference), providing the Court with discovery updates, including ripe discovery disputes. With respect to YouTube, the Parties raised, among other things, Ripe Dispute No. 2 [YouTube's Amended Responses or Confirmation in Writing of Agreements Reached by Parties], and Ripe Dispute No. 3 [YouTube's Search of Non-Custodial Sources Identified by PI/SD Plaintiffs]. The Parties provided their substantive positions on Ripe Dispute No. 2 in the Discovery Case Management Statement and reported that they intended to file a joint letter brief on Ripe Dispute No. 3 by

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October 22, 2024, so that both issues could be considered by the Court at the October 24, 2024 conference.

WHEREAS, on October 22, 2024, the Parties submitted a Status Update, Stipulation, and Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, in which the Parties respectfully requested that the Court defer decision on these disputes so that the Parties can engage in further meet and confers. See ECF 1246. In the proposed order, the Parties requested that the deadline for briefing on Issues 2 and 3 be no later than November 15, 2024. See id.

WHEREAS, on October 23, 2024, the Court entered the Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, setting the briefing deadline for November 15, 2024. See ECF 1250 ("the Order").

WHEREAS, on October 25, 2024, YouTube provided to Plaintiffs, in writing, agreed upon information regarding its search of non-custodial sources pursuant to the parties' Stipulation.

WHEREAS, since the issuance of the Order and YouTube's October 25, 2024 correspondence providing agreed upon information regarding its search of non-custodial sources, the Parties have met and conferred and exchanged additional information that informs the scope of the Parties' dispute on Issues 2 and 3. The discussions remain on going, and the Parties request additional time to meet and confer.

NOW AND THEREFORE, the Parties respectfully request that the Court modify the timeline set forth in the Order so that the Parties can engage in further meet and confers, and that the Court adopts the following schedule to ensure timely and efficient briefing of these issues:

- No later than November 18, 2024, the Parties will hold a meet and confer on Ripe a. Dispute Issues 2 and 3;
- No later than December 2, 2024, the Parties will hold an H(2) on any remaining b. issues on Ripe Dispute Issues 2 and 3; and,
- No later than December 10, 2024, the Parties will file joint letter briefs as to any remaining issues on Ripe Dispute Issues 2 and 3, so that the Court may consider the briefs at the December Discovery Case Management Conference.

| 1  | d.  | The Parties agree to mee     | t and confer in good faith at Plaintiffs' reasonable request                   |  |
|----|---|------------------------------|--|--|
| 2  | for information regarding YouTube's search and production from non-custodial sources  |                              |  |  |
| 3  | newly identified by Plaintiffs in YouTube's document production that appear likely to |                              |  |  |
| 4  | conta   | in relevant information or i | n response to an identified deficiency. Plaintiffs agree that                  |  |
| 5  | they  | will be reasonable and judic | cious in making any such requests.   |  |
| 6  |   |                              |  |  |
| 7  |   |                              | IT IS SO STIPULATED AND AGREED,  |  |
| 8  |   |                              |  |  |
| 9  | DATED:  | November 15, 2024            | WILSON SONSINI GOODRICH & ROSATI   |  |
| 10 |   |                              | Professional Corporation   |  |
| 11 |   |                              | By: /s/ Lauren Gallo White   |  |
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| 25 |   |                              | Email: mdonohue@wsgr.com   |  |
| 26 |   |                              | Attorneys for Defendants YouTube, LLC and Google LLC                           |  |
| 27 | D. 4 555  | N 1 45 2024                  |  |  |
| 28 | DATED:  | November 15, 2024            | By: /s/ Lexi J. Hazam  LEXI J. HAZAM  LIEFF CABRASER HEIMANN &                 |  |
|    |   |                              |  |  |

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UPDATE AND STIPULATION -6- CASE No.: 4:22-03047-YGR

**ATTESTATION** 

I, Lauren Gallo White, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1(i)(3), that the concurrence to the filing of this document has been obtained from each signatory hereto.

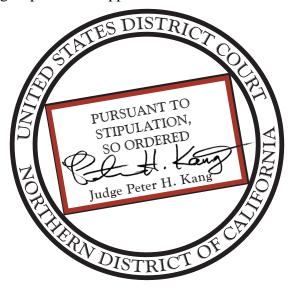
Dated: November 15, 2024

By: <u>/s/ Lauren Gallo White</u> Lauren Gallo White

**ORDER** 

IT IS SO ORDERED that the foregoing Stipulation is approved:

DATED: November 20, 2024



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